EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

1. The Carriage by Air Act, 1932, gives effect in the United Kingdom to the Convention signed at Warsaw on 12th October, 1929, for the unification of certain rules relating to international carriage by air.

2. By Section 1 (2) of the Act, Her Majesty may by Order in Council from time to time certify, inter alia, who are High Contracting Parties to the Convention, and such an Order is conclusive evidence of the matters so certified. This Order certifies that Japan is a party.

CHANNEL ISLANDS

1953 No. 398

The Air Corporations Act (Channel Islands) Order, 1953

Made - - - - 11*th March*, 1953
Coming into Operation 20*th April*, 1953

At the Court at Buckingham Palace, the 11th day of March, 1953

Present,

The Queen's Most Excellent Majesty in Council

Whereas by subsection (1) of section forty of the Air Corporations Act, 1949(a) (hereafter in this Order referred to as "the Act"), it is provided that Her Majesty may by Order in Council direct that any of the provisions of the Act, except sections eight, nine and ten, in so far as they relate to the British Overseas Airways Corporation, or section eleven, sections twenty-six to thirty-five or the Second Schedule, shall extend, with such exceptions, modifications and adaptations, if any, as may be specified in the Order, to any of the Channel Islands:

Now, therefore, Her Majesty in pursuance of the power vested in Her by the said section forty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The provisions of the Act specified in the first column of the First Schedule hereto (which relate to the matters specified in the second column of the said Schedule) shall extend, with the exceptions, modifications and adaptations specified in the Second Schedule hereto, to the Channel Islands.

2. In this Order the expression "the Channel Islands" means the Bailiwicks of Jersey and Guernsey and the territorial waters adjacent thereto.

3. The Interpretation Act, 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

4. This Order may be cited as the Air Corporations Act (Channel Islands) Order, 1953, and shall come into operation on the twentieth day of April, 1953.

W. G. Agnew.

(a) 12, 13 & 14 Geo. 6. c. 91. (b) 52 & 53 Vict. c. 63.

FIRST SCHEDULE

PROVISIONS EXTENDED

Provisions of the Act	Subject matter of provisions
Section seven.	Corporations not to be exempt from taxation, etc.
Subsection (3) of section fifteen.	Exchequer grants to associates of the corporations.
Section twenty-four.	Reservation of certain air services to the corporations and their associates.
Section twenty-five.	Power of Minister to require information.
Subsection (2) of section thirty-six.	Provisions as to offences.
Section thirty-eight.	Interpretation.
Subsections (1) and (2) and (4) to (6) of section forty-one.	Revocation and savings.
Third Schedule.	Revocation.

SECOND SCHEDULE

MODIFICATIONS AND ADAPTATIONS OF PROVISIONS EXTENDED

1.—(1) Any reference to the Air Corporations Act, 1949, shall be construed as a reference to the provisions of that Act extended to the Channel Islands by this Order.

(2) Any reference to the Civil Aviation Act, 1949(a), shall be construed as a reference to that Act as extended to the Channel Islands.

2. In section seven, in subsection (1), the words "Except in so far as is otherwise provided by sections twenty-seven and thirty-three of this Act" shall be omitted.

3. In section twenty-four—

(*a*) in subsection (1), for the words "the United Kingdom" there shall be substituted the words "the Channel Islands", and at the end of the subsection there shall be inserted the following proviso:—

"Provided that nothing in this subsection shall apply to any scheduled journey between two places both of which are in the Channel Islands.";

(*b*) immediately after subsection (1) there shall be inserted the following subsection:—

"(1A) The corporations, their associates and the servants and agents of the corporations and their associates shall have the right, notwithstanding the provisions of any Order in Council made under section thirteen of the Civil Aviation Act, 1949 (which relates to the licensing of air transport and commercial flying) as extended to the Channel Islands, to carry passengers or goods by air for hire or reward upon any scheduled journey between two places both of which are in the Channel Islands.";

(*c*) in subsection (4), immediately after the words "the United Kingdom", where they first occur, there shall be inserted the words "and the Channel Islands";

(a) 12, 13 & 14 Geo. 6. c. 67.

(*d*) in subsection (5), for paragraphs (*a*) and (*b*) there shall be substituted the words "on conviction thereof to a fine not exceeding five thousand pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.".

4. In section twenty-five—

(*a*) in subsection (1), for the words "the Minister", in both places where they occur, there shall be substituted the words "the Bailiff of Jersey or the Bailiff of Guernsey, as the case may be," and for the words "the United Kingdom" there shall be substituted the words "the Channel Islands";

(*b*) in subsection (2), the word "summary" shall be omitted.

5. In section thirty-eight, in subsection (1), the definitions of "appointed day", "financial year", "remuneration", "revenue", "transfer date" and "vendor companies" shall be omitted and immediately after the definition of "associate" there shall be inserted the following definitions:—

"'the Channel Islands' means the Bailiwicks of Jersey and Guernsey and the territorial waters adjacent thereto and any reference to Jersey or Guernsey shall be construed as a reference to the respective Bailiwick and territorial waters;

'the corporations' means the British Overseas Airways Corporation and the British European Airways Corporation;".

6. For subsections (1), (2), (4) and (6) of section forty-one there shall be substituted the following subsections:—

"(1) Subject to the provisions of this section, the Order in Council set out in the Third Schedule to this Act is hereby revoked to the extent specified in the third column of that Schedule.

(2) Nothing in this revocation shall affect any instrument made or other things whatsoever done under any enactment extended to the Channel Islands by the said Order in Council and every such instrument or thing shall continue in force and, so far as it could have been made or done under any provision of this Act extended to the Channel Islands, shall have effect as if made or done under that provision.

(4) Nothing in this revocation shall affect the terms and conditions on and subject to which any person held office or served immediately before the date of the first extension of the provisions of this Act to the Channel Islands.

(6) Any document referring to any enactment extended to the Channel Islands by the said Order in Council shall be construed as referring to the corresponding enactment in this Act.".

7. For the Third Schedule there shall be substituted the following Schedule:—

"THIRD SCHEDULE

REVOCATION

S.R. & O. reference	Title	Extent of Revocation
1947/528; Rev. I, p. 1194. 1947 I, p. 238.	The Civil Aviation Act (Extension to the Channel Islands) Order, 1947.	The whole Order, so far as unrevoked."